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*Trustee for Powell Valley Healthcare, Inc.,
Personal Injury Trust*

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF WYOMING
CHEYENNE DIVISION**

In Re:) **Chapter 11**
) **Case No. 16-20326**
POWELL VALLEY HEALTH CARE, INC.,)
)
Debtor.)

**MOTION FOR ENTRY OF AMENDED ORDER APPROVING
PERSONAL INJURY TRUSTEE'S MOTION TO COMPROMISE AND SETTLE CLAIMS**

Scott J. Goldstein (the “Trustee”), the Personal Injury Trustee of the Powell Valley Health Care, Inc. Personal Injury Trust (the “PVHC Trust”), pursuant to instructions provided by the Bankruptcy Clerk, submits this motion (the “Motion”), to enter the attached Amended Order regarding the Personal Injury Trustee’s motion for entry of an order approving the Trustee’s compromise and settlement of the tort claims and in support of this Motion, the Trustee states and alleges as follows:

BANKGROUND

1. On August 29, 2018, the Trustee filed his above-stated Motion to Approve Compromise under Rule 9019 and Settle Claims (“9019 Motion”) with Exhibits “A” through “D” attached [Docket No. 905]. Pursuant to Local Rules, Trustee’s Exhibit “D” was a proposed unsigned order for the Court’s future use.

2. On August 30, 2018, the Court scheduled the 9019 Motion for an expedited hearing for September 18, 2018, at 9:00 a.m.

3. After the filing of the of the 9019 Motion, Lexington Insurance Company and Homeland Insurance Company and the Trustee agreed to certain amendments to the proposed Order to be used for granting the 9019 Motion which resolved any objection they would have had to the 9019 Motion. The agreement was memorialized in a revised proposed Order submitted with the Trustee's Witness and Exhibit List(s) filed September 13, 2018 [See Docket 912-4].

4. On September 13, 2018, the Court granted the Trustee's 9019 Motion, used the Order originally provided for entry on the case docket and vacated the September 18, 2018 hearing. While the Court's efficient action is totally acceptable to all parties, the Trustee intended to appear at the hearing and submit the updated order for the Court's review and ultimate use in granting the relief sought in the 9019 Motion.

REQUESTED RELIEF

5. By this Motion, the Trustee seeks entry of the attached Amended Order Approving Motion to Compromise and Settle Claims and requests such other and further equitable relief as the Court deems just and appropriate.

Dated: September 14, 2018

Respectfully submitted,

SPENCER FANE LLP

/s/ Jamie N. Cotter

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